

Serial No.: 10/092,162
Docket No.: GOW 0091 PA/40329.111
Response date June 7, 2006
Reply to Office Action of March 7, 2006

Remarks

Status of the Claims

By this response, claims 10-13 have been canceled. Claims 1 and 2 have been amended. Support for the amendments is found in the specification and figures. No new matter has been added. Claims 1-9 are pending in this application.

Summary of Examiner Interview

Pursuant to 37 C.F.R. §1.133, Applicants are making of record the telephonic interview initiated by Applicants on May 10, 2006 and conducted between the Examiner and the undersigned. Applicants appreciate the willingness of Examiner Ortiz to discuss this case. Applicants discussed with the Examiner proposed amendments to claims 1 and 2 and arguments distinguishing Applicants' claims from the applied references as set forth herein. The discussion included the following:

1. Applicants discussed with the Examiner that none of the references teach or suggest each and every limitation found in Applicants' claims, particularly, wherein the system presents a map with defined geographic regions with multiple data items associated with each region, and wherein the multiple data items are selected from the group consisting of plants, animals, insects, marine life, rocks, and minerals.
2. The Examiner agreed that none, singularly or in combination, taught or suggested each and every limitation of the Applicants' claims.
3. The Examiner requested Applicants submit a Response to the Office Action presenting the same amendments and arguments.

Rejections under 35 U.S.C. §103

The Examiner rejected claims 1-12 under 35 U.S.C. §103(a) as being unpatentable over Levitt (U.S. publication US2002/0151327) in view of DeLorme et al. (U.S. patent 6,321,158). The Examiner rejected claim 13 under 35 U.S.C. §103(a) as being unpatentable over Levitt (U.S. publication US2002/0151327) in view of DeLorme et al. (U.S. patent 6,321,158) as applied to claims 1-12 above, and further in view of Khoshnevis et al. (U.S. patent 6,487,012).

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Applicants respectfully traverse the rejection of the claims and submit that the burden of establishing a prima facie case of obviousness under §103 has not been met. MPEP §2145. In order to establish a prima facie case of obviousness under §103, the Examiner has the burden of showing, by reasoning or evidence, that: 1) there is some suggestion or motivation, either in the references themselves or in the knowledge available in the art, to modify that reference's teachings; 2) there is a reasonable expectation on the part of one of ordinary skill in the art that the modification or combination has a reasonable expectation of success; and 3) the prior art references (or references when combined) teach or suggest all the claim limitations. MPEP §2145. The applied references, singularly or in combination, do not teach or suggest all the claim limitations as required.

Applicants' independent claim 1 recites a system for provisioning electronic field guides comprising, *inter alia*, a stationary computer and a portable computing device, wherein the stationary computer is operable to present a map with defined geographic regions and then associate multiple data items with the defined geographic regions, and wherein the multiple data items are selected from the group consisting of plants, animals, insects, marine life, rocks, and minerals. Applicants' independent claim 2 recites a method for provisioning electronic field guides comprising, *inter alia*, the following steps: presenting a map with defined geographic regions to an end user and associating multiple data items with the defined geographic regions, wherein the multiple data items are selected from the group consisting of plants, animals, insects, marine life, rocks, and minerals.

Levitt teaches a programmable universal remote control for controlling electronic devices such as a television or compact disc player. However, Levitt does not teach or suggest a computer (or method) that is operable to present a map with defined geographic regions, multiple data items associated with those regions or multiple data items consisting of plants, animals, insects, marine life, rocks, and minerals. Similar to Levitt, DeLorme et al. do not teach or suggest, singularly or in combination with Levitt, a computer that presents defined geographic regions with multiple data items consisting of plants, animals, insects, marine life, rocks, and minerals associated with such geographic regions. Finally, although Khoshnevis et al. teach a digital binocular system that is capable of permitting a user to simultaneously view an animal in the wild such as a bird with one eye and playing/viewing a video of the animal via the other eye, Khoshnevis et al. do not teach or suggest, singularly or in combination with Levitt and/or DeLorme et al., a computer (or method) that is operable to present a map with defined

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geographic regions, multiple data items associated with those regions or multiple data items consisting of plants, animals, insects, marine life, rocks, and minerals as required by Applicants claims. Therefore, Applicants respectfully request the withdrawal of the rejection of claims 1 and 2 under 35 U.S.C. §103(a). As claims 3-9 depend from claim 1 or 2, Applicants request the withdrawal of the rejection of these claims under 35 U.S.C. §103(a) as well.

Notwithstanding the arguments set forth above, Applicants respectfully submit that the present application claims priority to provisional application No. 60/273,542 filed on March 7, 2001, which antedates the filing date of Levitt's filing date of December 20, 2001. However, Levitt claims priority to a provisional application No. 60/258,115 filed on December 22, 2001. Applicants submit that if the Examiner whishes to rely on this provisional application filing date, then reference must be made to portions of the provisional application No. 60/285,115, and not to the later filed non-provisional application No. 10/027,112. Since this has not been done, Applicants respectfully request the rejection of claims 1-9 under §103(a) be withdrawn.

The Applicants respectfully submit that, in view of the above remarks and enclosed declaration, the application is now in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

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